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ADMITTED IN
NEW YORK, NEW JERSEY,
PENNSYLVANIA AND FLORIDA

By ECF

March 6, 2020

Honorable Sarah Netburn
U.S. District Courthouse
Southern District of New York
40 Foley Street, Courtroom 430
New York, New York 10007

Re: Teddy Volkswagen of the Bronx, LLC v. Phillip Demersky
Case No.: 1:19-cv-2337 (AJN) (SN)

Dear Judge Netburn:

As the Court is aware, our office represents the Defendant in the above action.

By Court Order dated February 27, 2020, the parties were directed to advise the Court on the status of mediation.

The parties had participated in good faith settlement discussions outside of mediation. However, we were unable to resolve this case. Defendant believed depositions and discovery would narrow the issues. Consequently, mediation sessions were suspended with discovery now to end on April 24, 2020.

The parties remain open to mediation but are very far apart regarding settlement. However, the remaining discovery may resolve the factual issues upon which the parties remain divided. As such, though Plaintiff continues to express an interest in conducting a mediation, Defendant does not believe same will be productive given the factual disputes involved.

Please contact our office if there is any additional information or documentation that may be helpful to the Court's review. Thank you for your time, attention and consideration of this matter.

Sincerely,

Joseph J. Ranni

Joseph J. Ranni

cc: Emanuel Kataev, Esq. (via ECF)